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Lacko v. Brennan

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NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 04-1279

JAMES E. LACKO,

Appellant

v.

JOSEPH P. BRENNAN; B.V. HYLER;
MARTY D. HUDSON; MICHAEL H. HOLLAND,
in their capacity as trustees of the
United Mine Workers of America 1974
Pension Trust; UNITED MINE WORKERS OF
AMERICA 1974 PENSION PLAN AND TRUST

Appeal from the United States District Court
for the Western District of Pennsylvania
(D.C. Civil Action No. 03-cv-00985)
District Judge: Honorable Arthur J. Schwab

Submitted Under Third Circuit LAR 34.1(a)
March 10, 2005

Before: SCIRICA, Chief Judge, ROTH and AMBRO, Circuit Judges

(Opinion filed: March 30, 2005)

OPINION

AMBRO, Circuit Judge

James Lacko appeals from the District Court's grant of summary judgment, which upheld the decision of an arbitrator denying Lacko a certain type of pension benefit, in favor of the Trustees of the United Mine Workers of America 1974 Pension Plan. For the reasons stated in the arbitrator's excellent decision in every respect (depth, organization, and rationale), we affirm the District Court's determination.